

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

UNITED STATES OF AMERICA, )  
PLAINTIFF, )  
                )  
v.                 ) CASE NO. 1:16-CR-231-AT  
                )  
JAMES D. FRALEY, III, )  
DEFENDANT.         )  
\_\_\_\_\_)

**MOTION TO EARLY TERMINATE SUPERVISED RELEASE**

Comes now Defendant James Fraley, by and through counsel of record, and hereby moves the Court to terminate his supervision. By way of background, on June 30, 2016, Mr. Fraley was charged by way of information, pursuant to a waiver of indictment, relating to the above-captioned matter. On September 2, 2016, Mr. Fraley accepted responsibility and pled guilty to one count of conspiracy to commit wire fraud. This Court ultimately sentenced Mr. Fraley on November 1, 2023 to a term of 36 months of probation, the first eight months of which was served on home confinement. *See* Dckt. Entry 27. Mr. Fraley was ordered to pay \$476,479.95 of restitution of which \$320,479.52 was to be paid jointly and severally with James G. Maloney.

Since that time, Mr. Fraley has been working to support his family. Mr. Fraley has been compliant with the terms of his supervision Fraley's probation at any time pursuant to 18 U.S.C. § 3553(c), which provides in pertinent part:

The court, after considering the factors set forth in section 3553(a) to the extent that they are applicable, may, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, terminate a term of probation previously ordered and discharge the defendant at any time in the case of a misdemeanor or an infraction or at any time after the expiration of one year of probation in the case of a felony, if it is satisfied that such action is warranted by the conduct of the defendant and the interest of justice.

Here, Mr. Fraley has been on probation for more than twelve months, has been gainfully employed, has paid restitution in full even though it was joint and several with his co-defendant, and been compliant with the terms of his probation.

In light of the foregoing, Mr. Fraley respectfully requests that this Court grant his Motion.

Respectfully requested this 20<sup>th</sup> day of November, 2024.

Respectfully submitted,

s/Stuart M. Mones  
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**CERTIFICATE OF SERVICE**

THIS IS TO CERTIFY that I have this day served upon all counsel of record a true and correct copy of the foregoing Motion by electronic filing through the Court's CM/ECF system.

Dated this 20<sup>th</sup> day of November, 2024.

s/Stuart M. Mones  
STUART M. MONES